

**UNOFFICIAL VERSION**

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**THURSDAY, APRIL 13, 2017**

**TWENTY-FIFTH LEGISLATIVE DAY**

**CALL TO ORDER**

The Senate met at 8:30 a.m., and was called to order by Mr. Speaker McNally.

**PRAYER**

The proceedings were opened with prayer by Pastor Jeff Harding of True Way Baptist Church in Nashville, Tennessee, a guest of Senators Ketron and Harper.

**PLEDGE OF ALLEGIANCE**

Senator Ketron led the Senate in the Pledge of Allegiance to the Flag.

**SALUTE TO THE FLAG OF TENNESSEE**

Senator Ketron led the Senate in the Salute to the Flag of Tennessee.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 31

Senators present were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

**COMMUNICATIONS**

April 12, 2017

Lt. Gov. Randy McNally  
1 LP  
Nashville, TN 37243

Re: Thursday, April 13, 2017

Dear Lt. Gov. McNally:

I will be out of the office and not able to attend Session on Thursday, April 13, 2017.

Please approve my not being present and feel free to call me if you have any questions.

Sincerely,

/s/ Mark E. Green, M.D.  
State Senator

APPROVED: Lieutenant Governor  
Randy McNally

April 12, 2017

Lt. Governor Randy McNally  
Suite 1, Legislative Plaza  
Nashville, Tennessee 37243

Dear Speaker McNally:

Please be advised that due to another commitment on Thursday, I regret that I cannot be present for Session on April 13, 2017. Please let this serve as proper notice of my absence.

All the best,

/s/ Lee Harris

APPROVED: Lieutenant Governor  
Randy McNally

**STANDING COMMITTEE REPORTS**

**JUDICIARY**

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 50, 113 with amendment, 267, 605, 644 with amendments, 769 with amendments and 1338 with amendments; also, recommend that Senate Bills Nos. 39, 316 with amendment, 374 with amendment, 388 with amendment, 1249 with amendment and 1343 be referred to Committee on Finance, Ways and Means.

KELSEY, Chairperson  
April 11, 2017

The Speaker announced that he had referred Senate Bills Nos. 50, 113 with amendment, 267, 605, 644 with amendments, 769 with amendments and 1338 with amendments to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 39, 316 with amendment, 374 with amendment, 388 with amendment, 1249 with amendment and 1343 to the Committee on Finance, Ways and Means.

**FINANCE, WAYS AND MEANS**

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 454 with amendment, 783, 907 with amendment and 1197.

WATSON, Chairperson  
April 11, 2017

The Speaker announced that he had referred Senate Bills Nos. 454 with amendment, 783, 907 with amendment and 1197 to the Committee on Calendar.

**STATE AND LOCAL GOVERNMENT**

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 315 with amendment, 512 with amendment, 580 with amendment, 688, 702 with amendment, 703 with amendment, 705, 748 with amendment, 853 with amendment, 930 with amendment, 1123, 1265, 1362 with amendment, 1370 with amendment, 1373 with amendment, 1375 and 1390 with amendment; also, recommend that Senate Bills Nos. 641 with amendment, 689 with amendment, 1136 with amendment, 1185, 1257 with amendment, 1288 and 1363 be referred to Committee on Finance, Ways and Means.

YAGER, Chairperson  
April 11, 2017

The Speaker announced that he had referred Senate Bills Nos. 315 with amendment, 512 with amendment, 580 with amendment, 688, 702 with amendment, 703 with amendment, 705, 748 with amendment, 853 with amendment, 930 with amendment, 1123, 1265, 1362 with amendment, 1370 with amendment, 1373 with amendment, 1375 and 1390 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 641 with amendment, 689 with amendment, 1136 with amendment, 1185, 1257 with amendment, 1288 and 1363 to the Committee on Finance, Ways and Means.

**GOVERNMENT OPERATIONS**

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 53, 447 and 910 with amendment; also, recommend that Senate Bills Nos. 559 with amendment and 686 with amendment be referred to Committee on Finance, Ways and Means.

BELL, Chairperson  
April 12, 2017

The Speaker announced that he had referred Senate Bills Nos. 53, 447 and 910 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 559 with amendment and 686 with amendment to the Committee on Finance, Ways and Means.

**JUDICIARY**

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 550 with amendment, 554 with amendment and 729 with amendment; and Senate Joint Resolution No. 92; also, recommend that Senate Bill No. 1184 be referred to Committee on Finance, Ways and Means.

KELSEY, Chairperson  
April 12, 2017

## THURSDAY, APRIL 13, 2017 -- 25TH LEGISLATIVE DAY

The Speaker announced that he had referred Senate Bills Nos. 550 with amendment, 554 with amendment and 729 with amendment; and Senate Joint Resolution No. 92 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 1184 to the Committee on Finance, Ways and Means.

### FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 196 with amendment, 302, 1220 and 1221 with amendment.

WATSON, Chairperson  
April 12, 2017

The Speaker announced that he had referred Senate Bills Nos. 196 with amendment, 302, 1220 and 1221 with amendment to the Committee on Calendar.

### JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 134 with amendments, 279, 311, 414, 468 with amendments, 1039 with amendment, 1100 with amendment, 1163 with amendment, 1182 with amendment, 1302 with amendments and 1334 with amendment; also, recommend that Senate Bills Nos. 197 with amendment, 200, 280, 802 with amendments and 1050 be referred to Committee on Finance, Ways and Means.

KELSEY, Chairperson  
April 12, 2017

The Speaker announced that he had referred Senate Bills Nos. 134 with amendments, 279, 311, 414, 468 with amendments, 1039 with amendment, 1100 with amendment, 1163 with amendment, 1182 with amendment, 1302 with amendments and 1334 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 197 with amendment, 200, 280, 802 with amendments and 1050 to the Committee on Finance, Ways and Means.

### MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 1455 through 1463** be passed on first consideration, which motion prevailed.

### INTRODUCTION OF BILLS

The Speaker announced the following bills were filed for introduction and passed first consideration:

**THURSDAY, APRIL 13, 2017 -- 25TH LEGISLATIVE DAY**

**Senate Bill No. 1455** by Senator Beavers.

Liberty -- Subject to local approval, changes timing of elections for board of mayor and aldermen such that all seats are filled in the same election. Amends Chapter 796 of the Private Acts of 1947; as amended.

**Senate Bill No. 1456** by Senator Beavers.

Liberty -- Subject to local approval, authorizes a \$45.00 payment to the Mayor for attendance at the monthly meeting of the Board of Mayor and Aldermen. Amends Chapter 796 of the Private Acts of 1947; as amended.

**Senate Bill No. 1457** by Senator Jackson.

Dyer County -- As introduced, allows removal of overgrown vegetation and accumulated debris on owner-occupied residential property. Amends TCA Section 5-1-115.

**Senate Bill No. 1458** by Senator Bowling.

Tracy City -- Subject to local approval, rewrites the town charter. Amends Chapter 158 of the Private Acts of 1945; as amended.

**Senate Bill No. 1459** by Senator Johnson.

Williamson County -- Subject to local approval, repeals tax levy on property located in unincorporated areas of county, the proceeds of which are used for road purposes, as part of a reallocation of funds to be appropriated for such purposes. Amends Chapter 373 of the Private Acts of 1937; as amended.

**Senate Bill No. 1460** by Senator Johnson.

Williamson County -- Subject to local approval, grants the judge of the juvenile court the power to appoint, retain, reappoint, and supervise judicial commissioners; authorizes the juvenile judge to appoint and supervise a temporary or part-time judicial commissioner, subject to county legislative body appropriations for personnel. Amends Chapter 56 of the Private Acts of 2012.

**Senate Bill No. 1461** by Senator Roberts.

Dickson County -- Subject to local approval, abolishes the County Highway Commission and office of the County Highway Engineer. Amends Chapter 53 of the Private Acts of 1985; as amended.

**Senate Bill No. 1462** by Senator Haile.

Gallatin -- Subject to local approval, authorizes the Mayor or a member of the City Council to run for another public office while Mayor or council member, as applicable. Amends Chapter 67 of the Private Acts of 1953; as amended.

**Senate Bill No. 1463** by Senator Haile.

Gallatin -- Subject to local approval, prohibits the Mayor and Aldermen from being eligible for the succeeding term in the same office if such official has served more than one-half of a four-year term and the next two subsequent four-year terms, for a maximum of 10 years in that particular office. Amends Chapter 67 of the Private Acts of 1953; as amended.

**MOTION**

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 276, 404, 473, 615, 646, 672, 872, 931, 1227, 1287, 1419, 1420 and 1422** be passed on first consideration, which motion prevailed.

**HOUSE BILLS ON FIRST CONSIDERATION**

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

**House Bill No. 276** -- Marriage -- As introduced, adds federal administrative law judges to the list of officials authorized to solemnize marriages. Amends TCA Section 36-3-301.

**House Bill No. 404** -- Sexual Offenders -- As introduced, requires the board of parole to order any person convicted of rape of a child, aggravated rape of a child, or a child sexual predator offense to enroll in a satellite-based monitoring and supervision program for the entire time the person is on parole if the person does not maintain either a primary or secondary address. Amends TCA Title 40, Chapter 39.

**House Bill No. 473** -- Liens -- As introduced, extends from two to three weeks the amount of time that a marina must advertise in a newspaper of general circulation notice of intent to enforce a lien upon any vessel or personal watercraft that lawfully comes into the marina's possession and is retained pending payment of all reasonable charges due. Amends TCA Title 66 and Title 69.

**House Bill No. 615** -- Child Abuse -- As introduced, adds the commission of trafficking for commercial sex act to the definitions of child sexual abuse and severe child abuse. Amends TCA Title 37, Chapter 1, Part 1 and Title 37, Chapter 1, Part 6.

**House Bill No. 646** -- Taxes, Business -- As introduced, clarifies that the bail bonds tax collected by a bail bondsman shall be excluded from the total gross sales reported on business tax returns or deducted from the gross sales reported. Amends TCA Section 67-4-711.

**House Bill No. 672** -- Election Laws -- As introduced, specifies the indications that a voter has changed address of residence without notifying the county election commission; specifies that any online voter registrations must be submitted on or before July 1, 2017; makes various changes to absentee voting provisions. Amends TCA Section 2-2-106; Section 2-2-112; Section 2-6-201; Section 2-6-202 and Section 2-6-204.

**House Bill No. 872** -- Education -- As introduced, prohibits the suspension or expulsion of students in pre-kindergarten and kindergarten unless the student's behavior endangers the physical safety of other students or school personnel. Amends TCA Title 49, Chapter 1; Title 49, Chapter 10; Title 49, Chapter 2; Title 49, Chapter 5 and Title 49, Chapter 6.

**House Bill No. 931** -- Public Health -- As introduced, repeals obsolete miscellaneous sanitary regulations for workshops, which includes any house, room, or place when used for the purpose of carrying on any process of making or altering, for sale or for wages, any coats, vests, trousers, knee pants, overalls, cloaks, shirts, waists, purses, feathers, artificial flowers, or cigars, or any wearing apparel of any kind whatsoever, intended for sale. Repeals TCA Title 68, Chapter 15, Part 1.

**House Bill No. 1227** -- Education -- As introduced, clarifies that a school may satisfy the summer programming requirement for qualification for a community schools grant by providing four weeks of summer programming during consecutive or nonconsecutive weeks. Amends TCA Title 49, Chapter 6, Part 24.

**House Bill No. 1287** -- Alcoholic Beverages -- As introduced, authorizes a distillery to sell at retail by the drink alcoholic beverages for consumption on its premises. Amends TCA Title 57, Chapter 3.

**House Bill No. 1419** -- Williamson County -- Subject to local approval, repeals tax levy on property located in unincorporated areas of county, the proceeds of which are used for road purposes, as part of a reallocation of funds to be appropriated for such purposes. Amends Chapter 373 of the Private Acts of 1937; as amended.

**House Bill No. 1420** -- Ridgeside -- Subject to local approval, removes the limit on the maximum property tax rate that may be levied by the city; decreases the number of readings required for ordinances, from three to two, and resolutions, from three to one. Amends Chapter 615 of the Private Acts of 1931; as amended.

**House Bill No. 1422** -- Lewis County -- Subject to local approval, authorizes the location of landfills within four and one-half miles of the Buffalo River. Amends Chapter 169 of the Private Acts of 1990.

### **MOTION**

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bill No. 1454** be passed on second consideration and be referred to the appropriate committee or held on the Clerk's desk, which motion prevailed.

### **SENATE BILL ON SECOND CONSIDERATION**

The Speaker announced the following bill passed second consideration and was referred to the appropriate committee or held on the Clerk's desk:

**Senate Bill No. 1454** Local bill -- held on desk.

### **MOTION**

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 315 through 331**; and **Senate Resolutions Nos. 59 through 67** be passed on first consideration and lie over, which motion prevailed.

### **INTRODUCTION OF RESOLUTIONS**

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

**Senate Joint Resolution No. 315** by Senator Beavers.  
Memorials, Recognition -- David M. Tomlinson, Wilson County Agricultural Hall of Fame.

**Senate Joint Resolution No. 316** by Senator Beavers.  
Memorials, Recognition -- Dr. Sam McFarland, Wilson County Agricultural Hall of Fame.

**Senate Joint Resolution No. 317** by Senator Beavers.  
Memorials, Recognition -- A.C. Wharton, Wilson County Agricultural Hall of Fame.

**Senate Joint Resolution No. 318** by Senator Beavers.  
Memorials, Recognition -- Hale Moss, Wilson County Agricultural Hall of Fame.

**Senate Joint Resolution No. 319** by Senator Dickerson.  
Memorials, Recognition -- TriStar Health.

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**Senate Joint Resolution No. 320** by Senator Yager.

Memorials, Recognition -- Tennessee Association of Utility Districts, 60th Anniversary.

**Senate Joint Resolution No. 321** by Senator Lundberg.

Memorials, Interns -- Loren Bree Kirkland.

**Senate Joint Resolution No. 322** by Senators Massey, Overbey and Briggs.

Memorials, Recognition -- "Rocky Top" song, 50th Anniversary.

**Senate Joint Resolution No. 323** by Senator Massey.

Memorials, Recognition -- Emerald Youth Foundation, 25th Anniversary.

**Senate Joint Resolution No. 324** by Senator Massey.

Memorials, Recognition -- Hope Resource Center, 20th Anniversary.

**Senate Joint Resolution No. 325** by Senators Massey, Overbey, Briggs and Mr. Speaker

McNally.

Memorials, Death -- Robert Fletcher Worthington, Jr.

**Senate Joint Resolution No. 326** by Senator Beavers.

Memorials, Academic Achievement -- Nick Ehrhart, Salutatorian, Mt. Juliet Christian Academy.

**Senate Joint Resolution No. 327** by Senator Beavers.

Memorials, Academic Achievement -- Emily Spence, Valedictorian, Mt. Juliet Christian Academy.

**Senate Joint Resolution No. 328** by Senator Beavers.

Memorials, Academic Achievement -- Joshua Sheldon Murphy, Salutatorian, Gordonsville High School.

**Senate Joint Resolution No. 329** by Senator Beavers.

Memorials, Academic Achievement -- Hannah Oniea Bingham, Valedictorian, Gordonsville High School.

**Senate Joint Resolution No. 330** by Senator Crowe.

Memorials, Interns -- Rebecca Thomason.

**Senate Joint Resolution No. 331** by Senator Dickerson.

Memorials, Interns -- Caitlin E. Henderson.

**Senate Resolution No. 59** by Senator Gardenhire.

Memorials, Interns -- Jodi Shockney.

**Senate Resolution No. 60** by Senator Massey.

Memorials, Interns -- Logan Kesel.

**Senate Resolution No. 61** by Senator Roberts.

Memorials, Academic Achievement -- Dillon Garen Graves, Salutatorian, East Hickman High School.

**Senate Resolution No. 62** by Senator Roberts.

Memorials, Academic Achievement -- Bailey Hunter Krebs, Valedictorian, East Hickman High School.



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**Senate Resolution No. 63** by Senator Roberts.

Memorials, Academic Achievement -- Carly Jordan Baldwin, Salutatorian, Harpeth High School.

**Senate Resolution No. 64** by Senator Roberts.

Memorials, Academic Achievement -- Tristan Addisson Davenport, Valedictorian, Harpeth High School.

**Senate Resolution No. 65** by Senator Roberts.

Memorials, Recognition -- Tennessee Bun Company, 20th Anniversary.

**Senate Resolution No. 66** by Senator Roberts.

Memorials, Academic Achievement -- Anna Pearson, Salutatorian, Cheatham County Central High School.

**Senate Resolution No. 67** by Senator Roberts.

Memorials, Academic Achievement -- Tiffany Smith, Valedictorian, Cheatham County Central High School.

**MR. SPEAKER MCNALLY RELINQUISHES CHAIR**

Mr. Speaker McNally relinquished the Chair to Senator Tracy.

**MOTION**

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 252 through 262**; and **Senate Joint Resolutions Nos. 313 and 314** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

**RESOLUTIONS LYING OVER**

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

**House Joint Resolution No. 252** -- Memorials, Sports -- Summertown High School girls' basketball team.

The Speaker announced that he had referred House Joint Resolution No. 252 to the Committee on Calendar.

**House Joint Resolution No. 253** -- Memorials, Retirement -- Dianne Kirk.

The Speaker announced that he had referred House Joint Resolution No. 253 to the Committee on Calendar.

**House Joint Resolution No. 254** -- Memorials, Sports -- Clay County High School Bulldog basketball team.

The Speaker announced that he had referred House Joint Resolution No. 254 to the Committee on Calendar.

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**House Joint Resolution No. 255** -- Memorials, Personal Occasion -- Mary Emma Reneau, 100th Birthday.

The Speaker announced that he had referred House Joint Resolution No. 255 to the Committee on Calendar.

**House Joint Resolution No. 256** -- Memorials, Professional Achievement -- Mark Labig, 2017 Jefferson County Teacher of the Year, 9th-12th grade.

The Speaker announced that he had referred House Joint Resolution No. 256 to the Committee on Calendar.

**House Joint Resolution No. 257** -- Memorials, Professional Achievement -- Mary John Wilson, 2017 Jefferson County Teacher of the Year, 5th-8th grade.

The Speaker announced that he had referred House Joint Resolution No. 257 to the Committee on Calendar.

**House Joint Resolution No. 258** -- Memorials, Professional Achievement -- Jessica Willings, 2017 Jefferson County Teacher of the Year, PreK-4th grade.

The Speaker announced that he had referred House Joint Resolution No. 258 to the Committee on Calendar.

**House Joint Resolution No. 259** -- Memorials, Recognition -- Clarksville Rotary Club, 100th Anniversary.

The Speaker announced that he had referred House Joint Resolution No. 259 to the Committee on Calendar.

**House Joint Resolution No. 260** -- Memorials, Death -- Barbara Rodgers Alston.

The Speaker announced that he had referred House Joint Resolution No. 260 to the Committee on Calendar.

**House Joint Resolution No. 261** -- Memorials, Death -- Rosetta Leteria Dover.

The Speaker announced that he had referred House Joint Resolution No. 261 to the Committee on Calendar.

**House Joint Resolution No. 262** -- Memorials, Recognition -- The Lee Sisters of Memphis.

The Speaker announced that he had referred House Joint Resolution No. 262 to the Committee on Calendar.

**Senate Joint Resolution No. 313** -- General Assembly, Recess & Reconvene -- Recesses senate at the close of business on April 20, 2017, and reconvenes senate at 3:00 p.m. on May 1, 2017.

The Speaker announced that he had referred Senate Joint Resolution No. 313 to the Committee on Calendar.

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**Senate Joint Resolution No. 314** -- Memorials, Recognition -- St. Paul's Episcopal Church, 125th Anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 314 to the Committee on Calendar.

**SPEAKER RESUMES CHAIR**

Mr. Speaker McNally resumed the Chair.

**NOTICE**

**MESSAGE FROM THE HOUSE**

April 10, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1012, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,  
Chief Clerk

**CONSENT CALENDAR NO. 1**

**Senate Joint Resolution No. 296** -- Memorials, Personal Achievement -- Kody Baker, Eagle Scout.

**Senate Joint Resolution No. 297** -- Memorials, Public Service -- Lawrence Hahn, Boys & Girls Clubs.

**Senate Joint Resolution No. 298** -- Memorials, Recognition -- Betty Weemes.

**Senate Joint Resolution No. 300** -- Memorials, Recognition -- Allan and Bea Brown, 2016 Blanche W. Grady Community Service Award.

**Senate Joint Resolution No. 301** -- Memorials, Sports -- Greeneville High School Lady Devils soccer team, State Champions.

**Senate Joint Resolution No. 302** -- Memorials, Recognition -- Sam Milhollin, 2017 Youth Leadership Award.

**Senate Joint Resolution No. 303** -- Memorials, Recognition -- Aubrey Randy Burleson, 2017 Community Leadership Award.

**Senate Joint Resolution No. 304** -- Memorials, Academic Achievement -- Raiha Abbas, Valedictorian, William Blount High School.

**Senate Joint Resolution No. 305** -- Memorials, Academic Achievement -- Gary Daniel Burns, Salutatorian, William Blount High School.

**Senate Joint Resolution No. 306** -- Memorials, Death -- Garry Kreis.

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**Senate Joint Resolution No. 307** -- Memorials, Professional Achievement -- Perry Massengill, Fisheries Technician of the Year.

**Senate Joint Resolution No. 308** -- Memorials, Professional Achievement -- John Hammonds, Biologist of the Year.

**Senate Joint Resolution No. 309** -- Memorials, Public Service -- R.L. "Tom" Carpenter.

**Senate Joint Resolution No. 310** -- Memorials, Personal Occasion -- Ethel Miller, 106th Birthday.

**Senate Joint Resolution No. 311** -- Memorials, Death -- Christopher Ryan White.

**Senate Joint Resolution No. 312** -- Memorials, Retirement -- Dean Headrick.

**Senate Resolution No. 54** -- Memorials, Interns -- Kaleigh Chitwood.

**Senate Resolution No. 55** -- Memorials, Death -- Leona Riff Edwards.

**Senate Resolution No. 56** -- Memorials, Death -- Charles Clinton Crow.

**Senate Resolution No. 57** -- Memorials, Death -- Geneva Briley.

**Senate Resolution No. 58** -- Memorials, Interns -- Cooper Byers.

**House Joint Resolution No. 239** -- Memorials, Death -- Dr. William L. Sanders.

**House Joint Resolution No. 240** -- Memorials, Retirement -- Dr. Katie High.

**House Joint Resolution No. 241** -- Memorials, Recognition -- Ken and Marca Young.

**House Joint Resolution No. 242** -- Memorials, Academic Achievement -- Maleah Walker, Valedictorian, Spring Hill High School.

**House Joint Resolution No. 243** -- Memorials, Academic Achievement -- Amanda Bennett, Salutatorian, Spring Hill High School.

**House Joint Resolution No. 244** -- Memorials, Academic Achievement -- Hannah Jamerson, Top Ten, Spring Hill High School.

**House Joint Resolution No. 245** -- Memorials, Academic Achievement -- Kaitlyn Burnette, Top Ten, Spring Hill High School.

**House Joint Resolution No. 246** -- Memorials, Academic Achievement -- Yuxin Dong, Top Ten, Spring Hill High School.

**House Joint Resolution No. 247** -- Memorials, Academic Achievement -- Casey Thyen, Top Ten, Spring Hill High School.

**House Joint Resolution No. 248** -- Memorials, Academic Achievement -- Shelby Rummage, Top Ten, Spring Hill High School.

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**House Joint Resolution No. 249** -- Memorials, Academic Achievement -- Haley Henderson, Top Ten, Spring Hill High School.

**House Joint Resolution No. 250** -- Memorials, Academic Achievement -- Nicholas Burleson, Top Ten, Spring Hill High School.

**House Joint Resolution No. 251** -- Memorials, Academic Achievement -- Garrett Johnson, Top Ten, Spring Hill High School.

Senator Massey moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes . . . . . 27  
Noes . . . . . 0

Senators voting aye were: Bailey, Beavers, Bowling, Briggs, Crowe, Dickerson, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Yager and Mr. Speaker McNally--27.

A motion to reconsider was tabled.

**MOTION**

Senator Massey moved that Rule 19 and Rule 38 be suspended for the purpose of making and considering Consent Calendar No. 2 consisting of the following resolution: **Senate Resolution No. 37**, which motion prevailed.

**CONSENT CALENDAR NO. 2**

**Senate Resolution No. 37** -- Memorials, Recognition -- Cystic Fibrosis Awareness Month, May 2017.

Senator Massey moved that all Senate Resolutions be adopted, which motion prevailed by the following vote:

Ayes . . . . . 28  
Noes . . . . . 0

Senators voting aye were: Bailey, Beavers, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Yager and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

**LOCAL BILL**  
**CONSENT CALENDAR**

**Senate Bill No. 1431** -- Williamson County -- Subject to local approval, repeals tax levy on property located in unincorporated areas of county, the proceeds of which are used for road

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purposes, as part of a reallocation of funds to be appropriated for such purposes. Amends Chapter 373 of the Private Acts of 1937; as amended.

On motion, Senate Bill No. 1431 was made to conform with **House Bill No. 1419**.

On motion, House Bill No. 1419, on same subject, was substituted for Senate Bill No. 1431.

**Senate Bill No. 1433** -- Ridgeside -- Subject to local approval, removes the limit on the maximum property tax rate that may be levied by the city; decreases the number of readings required for ordinances, from three to two, and resolutions, from three to one. Amends Chapter 615 of the Private Acts of 1931; as amended.

On motion, Senate Bill No. 1433 was made to conform with **House Bill No. 1420**.

On motion, House Bill No. 1420, on same subject, was substituted for Senate Bill No. 1433.

**Senate Bill No. 1434** -- Lewis County -- Subject to local approval, authorizes the location of landfills within four and one-half miles of the Buffalo River. Amends Chapter 169 of the Private Acts of 1990.

On motion, Senate Bill No. 1434 was made to conform with **House Bill No. 1422**.

On motion, House Bill No. 1422, on same subject, was substituted for Senate Bill No. 1434.

Senator Massey moved that all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	28
Noes .....	0

Senators voting aye were: Bailey, Beavers, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Yager and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

**CALENDAR**

**Senate Bill No. 149** -- School Transportation -- As introduced, places restrictions on receiving school bus driver license endorsements or being hired as a school bus driver for drivers who have committed serious traffic violations, including excessive speeding or reckless driving. Amends TCA Title 49, Chapter 6, Part 21 and Title 55.

Senator Gresham moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting subdivision (1) in the amendatory language of Section 5 and substituting instead the following:

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(1) The department shall not issue an initial school bus endorsement to any applicant unless:

(A) The applicant is at least twenty-five (25) years of age;

(B) The applicant has had at least five (5) consecutive years of unrestricted driving experience prior to the date of application; and

(C) The department is fully satisfied as to the applicant's good character, competency, and fitness to be so employed.

AND FURTHER AMEND by deleting Sections 7 and 8 in their entirety and substituting instead the following:

SECTION 7. This act shall take effect January 1, 2018, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 149**, as amended, passed its third and final consideration by the following vote:

Ayes .....	29
Noes .....	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Yager and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

**Senate Bill No. 217** -- Local Education Agencies -- As introduced, permits an LEA to file annually with the commissioner of education written policies and procedures developed and adopted by the board, in consultation with local law enforcement, to authorize a school resource officer to patrol within a three-mile radius of the officer's assigned school. Amends TCA Title 49, Chapter 6.

On motion, Senate Bill No. 217 was made to conform with **House Bill No. 147**.

On motion, House Bill No. 147, on same subject, was substituted for Senate Bill No. 217.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 147** passed its third and final consideration by the following vote:

Ayes .....	29
Noes .....	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Yager and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

Senator Overbey moved that **Senate Bill No. 327** be placed on the Calendar for Thursday, April 20, 2017, which motion prevailed.

**Senate Bill No. 401** -- Teachers, Principals and School Personnel -- As introduced, increases the money teachers receive for classroom instruction materials from \$200 to \$400. Amends TCA Title 49, Chapter 3.

Senator Gresham moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-3-359(a), is amended by deleting the following language:

There is included in the Tennessee BEP an amount of money sufficient to pay two hundred dollars (\$200) for every teacher in kindergarten through grade twelve (K-12). This money shall be used by the teachers for instructional supplies. One hundred dollars (\$100) shall be given to each teacher by October 31 of each school year so that the teacher may spend it at any time during that school year on instructional supplies as determined necessary by the teacher. The second one hundred dollars (\$100) shall be pooled with all such teachers in a school and spent as determined by a committee of the teachers for such purpose.

and substituting instead the following language:

There is included in the Tennessee BEP an amount of money sufficient to pay two hundred dollars (\$200) for every teacher in kindergarten through grade twelve (K-12). This money shall be used by the teachers for instructional supplies and shall be given to each teacher by October 31 of each school year so that the teacher may spend it at any time during that school year on instructional supplies as determined necessary by the teacher.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 401**, as amended, passed its third and final consideration by the following vote:

Ayes .....	28
Noes .....	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Yager and Mr. Speaker McNally--28.



A motion to reconsider was tabled.

Senator Massey moved that **Senate Bill No. 520** be placed on the Calendar for Thursday, April 20, 2017, which motion prevailed.

Senator Haile moved that **Senate Bill No. 631** be placed on the Calendar for Thursday, April 20, 2017, which motion prevailed.

**Senate Bill No. 723** -- Education -- As introduced, requires the Tennessee financial literacy commission to post its annual report on the website of the department of the treasury. Amends TCA Title 49.

Senator Kelsey declared Rule 13 on **Senate Bill No. 723**.

Senator Overbey declared Rule 13 on **Senate Bill No. 723**.

Senator Gresham moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, is amended by adding Sections 2 through 9 of this act as a new part.

SECTION 2. This part shall be known and may be cited as the "Campus Free Speech Protection Act."

SECTION 3. The requirements of this part shall apply to every public institution of higher education in this state.

SECTION 4. (a) The general assembly finds and declares that public institutions of higher education in Tennessee are not immune from the sweep of the First Amendment to the United States Constitution or Article I, Section 19, of the Tennessee Constitution, which guarantees freedom of speech and expression.

(b) It is the intent of the general assembly that the public institutions of higher education embrace a commitment to the freedom of speech and expression for all students and all faculty.

(c) It is further the intent of the general assembly that public institutions of higher education, including their faculty, shall not require students or other faculty to adopt or to indicate their adherence to beliefs or orthodoxies on any particular political, philosophical, religious, social, or other such subject, although institutions may require students and faculty to conform their conduct to the requirements of law and policy.

(d) It is further the intent of the general assembly that public institutions of higher education not stifle freedom of speech and expression by implementing vague or overbroad speech codes, establishing free speech zones, imposing unconstitutional prior restraints on speech, or disinviting speakers based on the anticipated reaction or opposition of others to the content of speech.

SECTION 5. As used in this part, unless the context requires otherwise:

(1) "Constitutional time, place, and manner restrictions" means restrictions on the time, place, and manner of free speech that do not violate the First Amendment to the United States Constitution or Article I, Section 19 of the Tennessee Constitution that are reasonable, content- and viewpoint-neutral, narrowly tailored to satisfy a significant institutional interest, and leave open ample alternative channels for the communication of the information or message to its intended audience;

(2) "Faculty" or "faculty member" means any person, whether or not the person is compensated by a public institution of higher education, and regardless of political affiliation, who is tasked with providing scholarship, academic research, or teaching. For purposes of this part, the term "faculty" shall include tenured and non-tenured professors, adjunct professors, visiting professors, lecturers, graduate student instructors, and those in comparable positions, however titled. For purposes of this part, the term "faculty" shall not include persons whose primary responsibilities are administrative or managerial;

(3) "Free speech" means speech, expression, or assemblies protected by the First Amendment to the United States Constitution or Article I, Section 19 of the Tennessee Constitution, verbal or written, including, but not limited to, all forms of peaceful assembly, protests, demonstrations, rallies, vigils, marches, public speaking, distribution of printed materials, carrying signs, displays, or circulating petitions. "Free speech" does not include the promotion, sale, or distribution of any product or service;

(4) "Institution" means an institution of public higher education in this state; and

(5) "Student" means:

(A) An individual currently enrolled in a course of study at the institution; and

(B) An organization that is comprised entirely of individuals currently enrolled in a course of study at the institution, that is registered with an institution pursuant to institutional rules.

SECTION 6. (a) The governing body of every institution shall adopt a policy that affirms the following principles of free speech, which are the public policy of this state:

(1) Students have a fundamental constitutional right to free speech;

(2) An institution shall be committed to giving students the broadest possible latitude to speak, write, listen, challenge, learn, and discuss any issue, subject to Section 9;

(3) An institution shall be committed to maintaining a campus as a marketplace of ideas for all students and all faculty in which the free exchange of ideas is not to be suppressed because the ideas put forth are thought by

some or even by most members of the institution's community to be offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed;

(4) It is for an institution's individual students and faculty to make judgments about ideas for themselves, and to act on those judgments not by seeking to suppress free speech, but by openly and vigorously contesting the ideas that they oppose;

(5) It is not the proper role of an institution to attempt to shield individuals from free speech, including ideas and opinions they find offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed;

(6) Although an institution should greatly value civility and mutual respect, concerns about civility and mutual respect shall never be used by an institution as a justification for closing off the discussion of ideas, however offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed those ideas may be to some students or faculty;

(7) Although all students and all faculty are free to state their own views about and contest the views expressed on campus, and to state their own views about and contest speakers who are invited to express their views on the institution's campus, they may not substantially obstruct or otherwise substantially interfere with the freedom of others to express views they reject or even loathe. To this end, an institution has a responsibility to promote a lively and fearless freedom of debate and deliberation and protect that freedom;

(8) An institution shall be committed to providing an atmosphere that is most conducive to speculation, experimentation, and creation by all students and all faculty, who shall always remain free to inquire, to study and to evaluate, and to gain new understanding;

(9) The primary responsibility of faculty is to engage an honest, courageous, and persistent effort to search out and communicate the truth that lies in the areas of their competence;

(10) Although faculty are free in the classroom to discuss subjects within areas of their competence, faculty shall be cautious in expressing personal views in the classroom and shall be careful not to introduce controversial matters that have no relationship to the subject taught, and especially matters in which they have no special competence or training and in which, therefore, faculty's views cannot claim the authority accorded statements they make about subjects within areas of their competence; provided, that no faculty will face adverse employment action for classroom speech, unless it is not reasonably germane to the subject matter of the class as broadly construed, and comprises a substantial portion of classroom instruction;

(11) An institution shall maintain the generally accessible, open, outdoor areas of its campus as traditional public forums for free speech by students;

(12) An institution shall not restrict students' free speech only to particular areas of the campus, sometimes known as "free speech zones" ;

(13) An institution shall not deny student activity fee funding to a student organization based on the viewpoints that the student organization advocates;

(14) An institution shall not establish permitting requirements that prohibit spontaneous outdoor assemblies or outdoor distribution of literature, although an institution may maintain a policy that grants members of the college or university community the right to reserve certain outdoor spaces in advance;

(15) An institution shall not charge students security fees based on the content of their speech, the content of the speech of guest speakers invited by students, or the anticipated reaction or opposition of listeners to speech;

(16) An institution shall allow all students and all faculty to invite guest speakers to campus to engage in free speech regardless of the views of guest speakers; and

(17) An institution shall not disinvite a speaker invited by a student, student organization, or faculty member because the speaker's anticipated speech may be considered offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed by students, faculty, administrators, government officials, or members of the public.

(b) The policy adopted pursuant to subsection (a) shall be made available to students and faculty annually through one or more of the following methods:

(1) Published annually in the institution's student handbook and faculty handbook, whether paper or electronic;

(2) Made available to students and faculty by way of a prominent notice on the institution's internet site other than through the electronic publication of the policy in the student handbook and faculty handbook;

(3) Sent annually to students and employees to their institutionally-provided email address; or

(4) Addressed by the institution in orientation programs for new students and new faculty.

(c) Nothing in this section shall be construed to grant students the right to disrupt previously scheduled or reserved activities occurring in a traditional public forum.

SECTION 7. (a) With respect to disciplining students for their speech, expression, or assemblies, an institution shall adopt a policy on "student-on-student harassment" defining the term consistent with and no more expansively than the language contained in subsection (b).

(b) As used in this section, "student-on-student harassment" means unwelcome conduct directed toward a person that is discriminatory on a basis prohibited by federal, state, or local law, and that is so severe, pervasive, and objectively offensive that it effectively bars the victim's access to an educational opportunity or benefit.

SECTION 8. Nothing in this part shall require an institution to fund costs associated with student speech or expression. An institution shall not impose costs on students or student organizations on the basis of the anticipated reaction or opposition to a person's speech by listeners.

SECTION 9. Nothing contained in this part shall be construed as prohibiting an institution from imposing measures that do not violate the First Amendment to the United States Constitution or Article I, Section 19 of the Tennessee Constitution such as:

- (1) Constitutional time, place, and manner restrictions;
- (2) Reasonable and viewpoint-neutral restrictions in nonpublic forums;
- (3) Restricting the use of the institution's property to protect the free speech rights of students and faculty and preserve the use of the property for the advancement of the institution's mission;
- (4) Prohibiting or limiting speech, expression, or assemblies that are not protected by the First Amendment to the United States Constitution or Article I, Section 19 of the Tennessee Constitution; or
- (5) Content restrictions on speech that are reasonably related to a legitimate pedagogical purpose, such as classroom rules enacted by faculty.

SECTION 10. The governing body of each public institution of higher education in this state is authorized to promulgate rules to effectuate the purposes of this act in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 11. For purposes of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2018, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 723**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	30
Noes . . . . .	0

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Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Mr. Speaker McNally moved that **Senate Bill No. 875** be placed on the Calendar for Monday, April 17, 2017, which motion prevailed.

**Senate Bill No. 997** -- Banks and Financial Institutions -- As introduced, increases amount that a credit card state bank must maintain in capital stock and paid-in surplus from \$2 million to \$3 million or such higher amount as prescribed by the commissioner as initial capital. Amends TCA Title 45, Chapter 2, Part 19.

Senator Johnson moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting Section 1 and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 45-2-1904(a), is amended by deleting the language "twenty-one percent (21%)" and substituting instead the language "thirty percent (30%)".

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 997**, as amended, passed its third and final consideration by the following vote:

Ayes .....	22
Noes .....	6

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Dickerson, Gresham, Haile, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy and Mr. Speaker McNally--22.

Senators voting no were: Crowe, Gardenhire, Harper, Hensley, Niceley and Yager--6.

A motion to reconsider was tabled.

**Senate Bill No. 998** -- Education -- As introduced, recognizes students who earn a composite score of 19 on the ACT, or an equivalent score on the SAT, and who also earn a capstone industry certification as promoted by the department of education, as a Tennessee Tri-Star Scholar upon graduation; requires schools to recognize the student as a Tennessee Tri-Star Scholar at the school's graduation ceremony. Amends TCA Title 49, Chapter 6, Part 60.

On motion, Senate Bill No. 998 was made to conform with **House Bill No. 1161**.

On motion, House Bill No. 1161, on same subject, was substituted for Senate Bill No. 998.

**House Bill No. 1161** passed its third and final consideration by the following vote:

Ayes .....	29
Noes .....	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

**Senate Bill No. 1394** -- Education -- As introduced, prohibits the suspension or expulsion of students in pre-kindergarten and kindergarten unless the student's behavior endangers the physical safety of other students or school personnel. Amends TCA Title 49, Chapter 1; Title 49, Chapter 10; Title 49, Chapter 2; Title 49, Chapter 5 and Title 49, Chapter 6.

On motion, Senate Bill No. 1394 was made to conform with **House Bill No. 872**.

On motion, House Bill No. 872, on same subject, was substituted for Senate Bill No. 1394.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 872** passed its third and final consideration by the following vote:

Ayes .....	29
Noes .....	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

**Senate Bill No. 1418** -- Education -- As introduced, requires the council to prepare an annual report on the amount of money spent to meet the purposes of the Tennessee council for career and technical education. Amends TCA Title 49, Chapter 11, Part 2.

Senator Gresham moved to amend as follows:

#### **AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-11-201(b), is amended by deleting the subsection in its entirety and substituting instead the following:

(b)(1) The council shall consist of fifteen (15) members, appointed by the governor and speakers of the general assembly, and shall serve in an advisory capacity to the state board of education, the board of regents, the

governor, and the general assembly. The members of the council appointed pursuant to subdivision (b)(2) shall serve terms of six (6) years and the members appointed pursuant to subdivision (b)(3) shall serve terms of two (2) years. In the event a vacancy is created by the death or resignation of a member or by other cause, a successor shall be appointed within fifteen (15) days to serve for the remainder of the unexpired term.

(2) The governor shall appoint thirteen (13) individuals to fill each of the following categories:

(A) Seven (7) individuals who are representatives of the private sector in the state who shall constitute a majority of the membership of the governor's appointees:

(i) Five (5) shall be representatives of business, industry, trade organizations, and agriculture; and

(ii) Two (2) shall be representatives of labor organizations; and

(B) Six (6) individuals who are representatives of secondary and postsecondary career and technical institutions, equitably distributed among the institutions, career guidance and counseling organizations within the state, individuals who have special knowledge and qualifications with respect to the special educational and career development needs of special populations, including women, the disadvantaged, the handicapped, individuals with limited English proficiency, and minorities, and of whom one (1) member shall be a representative of the special education population; and

(3) The speaker of the senate and the speaker of the house of representatives shall each appoint one (1) legislator to serve as a member of the council.

SECTION 2. Tennessee Code Annotated, Section 49-11-203, is amended by adding the following language as a new subsection:

The funds appropriated to the council by the general assembly shall remain with the council as long as the council complies with the purposes of this part.

SECTION 3. Tennessee Code Annotated, Section 49-11-203(d)(5), is amended by deleting the language "department of education" and substituting instead "board of regents".

SECTION 4. Tennessee Code Annotated, Section 49-11-204, is amended by deleting the subsection in its entirety and substituting instead the following:

The council for career and technical education shall be administratively attached to the board of regents.

SECTION 5. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2017, the public welfare requiring it.



On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1418**, as amended, passed its third and final consideration by the following vote:

Ayes .....	29
Noes .....	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

**Senate Bill No. 297** -- Workers' Compensation -- As introduced, revises various provisions of the Workers' Compensation Law. Amends TCA Title 50, Chapter 6.

Senator Overbey declared Rule 13 on **Senate Bill No. 297**.

Senator Johnson moved that Amendment No. 1 be placed behind Amendment No. 2, which motion prevailed.

Senator Johnson moved to amend as follows:

#### **AMENDMENT NO. 2**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-6-124, is amended by adding the following new subsection:

(j)(1) Except as otherwise provided in subdivision (j)(2), the system of utilization review established by the administrator or provided by an employer shall not apply to:

(A) Diagnostic procedures ordered in accordance with the treatment guidelines by the authorized treating physician or chiropractor in the first thirty (30) days after the date of injury; or

(B) Diagnostic studies recommended by the treating physician in the event the initial treatment regimen is nonsurgical, without diagnostic testing, and is not successful in returning the injured worker to employment.

(2) A recommended invasive procedure shall be subject to utilization review at any time.

(3) For purposes of this subsection (j):

(A) "Diagnostic procedures" includes, but is not limited to, routine and specialty radiography, magnetic resonance imaging that is not for low back pain without radiculopathy, a computerized tomography scan, a myelogram, an arthrogram, an ultrasound, and electromyogram and nerve conduction velocity testing; and

(B) "Initial treatment" means the first series of treatments or therapies or first two (2) medication trials ordered by the authorized treating physician in accordance with the adopted treatment guidelines within sixty (60) days of a reported injury.

SECTION 2. Tennessee Code Annotated, Section 50-6-204, is amended by deleting subdivision (a)(3)(B) and substituting instead the following:

(B) If three (3) or more independent reputable physicians, surgeons, chiropractors, or specialty practice groups not associated in practice together are not available in the employee's community, the employer shall provide a list of three (3) independent reputable physicians, surgeons, chiropractors, or specialty practice groups that are within a one-hundred-twenty-five-mile radius of the employee's community of residence. Two (2) of the list of three (3) independent reputable physicians, surgeons, chiropractors, or specialty practice groups must not be associated in practice together.

SECTION 3. Tennessee Code Annotated, Section 50-6-204, is amended by deleting the language "not exceeding seven thousand five hundred dollars (\$7,500)" from subsection (c) and substituting instead the language "not exceeding ten thousand dollars (\$10,000)".

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to injuries occurring on or after the effective date of this act.

On motion, Amendment No. 2 was adopted.

On motion of Senator Johnson, Amendment No. 1 was withdrawn.

Thereupon, **Senate Bill No. 297**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	28
Noes . . . . .	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Yager and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

**Senate Bill No. 517** -- Election Laws -- As introduced, revises provisions governing the use of mobile electronic and communication devices at polling places. Amends TCA Section 2-7-142.

Senator Yager moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-7-142, is amended by deleting the section in its entirety and substituting instead the following:

(a) Except as otherwise provided in subsection (b), a county election commission shall not prohibit a voter from using a mobile electronic or communication device at a polling place.

(b) A county election commission or its appointed election official may prohibit a voter from using a mobile electronic or communication device at a polling place only if the voter is using the device:

(1) For telephone conversations within ten feet (10') of any voting machine, ballot box, or voting booth;

(2) For telephone conversations while standing before an election official who is attempting to complete required documentation or perform required duties necessary to process the voter in the polling place;

(3) To discuss candidates or issues on the ballot in a manner that can be heard by another person present at the polling place;

(4) To produce audible sound or visible light or images in a manner that delays or disrupts other persons from engaging in the voting process;

(5) Without silencing the ringtone;

(6) To photograph or video or audio record persons in the polling place or activity in the polling place without the consent of the persons therein;

(7) To intimidate those persons present at the polling place in a manner that violates § 2-19-115; or

(8) To photograph or video record a ballot.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Kelsey moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting subdivision (b)(8) from Section 1 and substituting instead the following:

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(8) To photograph or video record a marked ballot in an effort to commit voter intimidation, voter fraud, or a violation of § 2-19-121, § 2-19-126, or § 2-19-127.

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 517**, as amended, passed its third and final consideration by the following vote:

Ayes .....	30
Noes .....	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

**Senate Bill No. 568** -- Annexation -- As introduced, deletes the limitation allowing non-contiguous annexation by resolution to occur only in a county having a population according to the most recent decennial census that is greater than 44.5 percent and 50,000 of its population in the preceding decennial census. Amends TCA Title 6, Chapter 51, Part 1.

Senator Overbey declared Rule 13 on **Senate Bill No. 568**.

**Senate Bill No. 568** passed its third and final consideration by the following vote:

Ayes .....	28
Noes .....	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Yager, Yarbrow and Mr. Speaker McNally--28

A motion to reconsider was tabled.

Senator Southerland moved that **Senate Bill No. 609** be rereferred to the Committee on Calendar, which motion prevailed.

Senator Southerland moved that **Senate Bill No. 622** be rereferred to the Committee on Calendar, which motion prevailed.

Mr. Speaker McNally moved that **Senate Bill No. 669** be placed on the Calendar for Monday, April 17, 2017, which motion prevailed.

Senator Dickerson moved that **Senate Bill No. 788** be placed on the Calendar for Thursday, April 20, 2017, which motion prevailed.

Senator Dickerson moved that **Senate Bill No. 790** be placed on the Calendar for Thursday, April 20, 2017, which motion prevailed.

**Senate Bill No. 927** -- Historical Sites and Preservation -- As introduced, clarifies that renovations of memorials are excluded from the petition for waiver process under the Tennessee Heritage Protection Act of 2016; excludes from coverage under the act buildings and structures that have reached the end of their useful lives and are approved for demolition by the state building commission. Amends TCA Section 4-1-412.

On motion, Senate Bill No. 927 was made to conform with **House Bill No. 644**.

On motion, House Bill No. 644, on same subject, was substituted for Senate Bill No. 927.

**House Bill No. 644** passed its third and final consideration by the following vote:

Ayes . . . . .	30
Noes . . . . .	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senator Niceley moved that **Senate Bill No. 968** be placed on the last Calendar, which motion prevailed.

**Senate Bill No. 989** -- Animal Control -- As introduced, requires animal shelters to hold a cat or dog for at least 48 hours and make reasonable attempts to contact the animal's owner during that time before spaying or neutering the animal; requires the animal shelter to keep records of such attempts at contact. Amends TCA Title 39, Chapter 14, Part 2; Title 44 and Section 55-4-290.

On motion, Senate Bill No. 989 was made to conform with **House Bill No. 1103**.

On motion, House Bill No. 1103, on same subject, was substituted for Senate Bill No. 989.

On motion of Senator Southerland, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1103** passed its third and final consideration by the following vote:

Ayes . . . . .	29
Noes . . . . .	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

**Senate Bill No. 1087** -- Utilities, Utility Districts -- As introduced, makes various changes to the Municipal Energy Authority Act, including expanding the application of the chapter beyond just

municipalities that have adopted home rule and authorizing authorities created pursuant to resolution by such municipalities to provide gas, water, and wastewater services. Amends TCA Title 7.

Senator Overbey declared Rule 13 on **Senate Bill No. 1087**.

Senator Yager moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 7-36-102(2), is amended by deleting the subdivision and substituting the following:

(2) "Associated municipality" means a municipality that is located in a county having a population of three hundred thirty-five thousand (335,000) or less, according to the 2010 federal census or any subsequent federal census, and that, as of the date an authority is formed under this chapter, operates an electric system under the authority of chapter 52 of this title; the municipality's charter; or otherwise applicable law;

SECTION 2. Tennessee Code Annotated, Section 7-36-102(19), is amended by adding the language "storage facilities," immediately before the words "and distribution facilities".

SECTION 3. Tennessee Code Annotated, Section 7-36-102, is amended by adding the following as new subdivisions:

( ) "Wastewater service" means the collection, transportation, and treatment of water discharged from residential, commercial, industrial, or other processes for final discharge to the environment;

( ) "Water service" means the procurement, treatment, and distribution of water for domestic use or any other purpose for which water can be used;

SECTION 4. Tennessee Code Annotated, Section 7-36-105(c), is amended by deleting the subsection and substituting the following:

(c) Upon its formation, a governmental authority shall be created and constituted. The authority shall be a public corporation under the corporate name set forth in its certificate of incorporation, and shall under that name be a political subdivision of this state and a body politic and corporate. The authority shall be for the purpose of planning, acquiring, constructing, improving, furnishing, equipping, financing, owning, operating, and maintaining electric, water, and wastewater systems, and telecommunications systems as are specified in its certificate of incorporation. The authority may provide such services within or outside the corporate limits of the associated municipality and within or outside this state.

SECTION 5. Tennessee Code Annotated, Section 7-36-107(4)(C), is amended by deleting the subdivision and substituting the following:

(C) Nothing in this subdivision (4) operates to restrict or impair in any way the ability of the authority to acquire, construct, improve, furnish, equip, finance, own, operate, and maintain a telecommunications system or to offer or provide telecommunications services through one (1) or more other systems of the authority, if such system and services are related to the provision of services of such system or the operation of the system, including, without limitation, load control, meter reading, appliance monitoring, power exchange, billing, or any other similar or component service; and

SECTION 6. Tennessee Code Annotated, Section 7-36-107(5), is amended by deleting the language "subdivision (4)" wherever it appears and substituting the language "subdivision (6)".

SECTION 7. Tennessee Code Annotated, Section 7-36-107(13), is amended by adding the language "storage," immediately before the words "or distribution".

SECTION 8. Tennessee Code Annotated, Section 7-36-107(17), is amended by adding the language "storage," immediately before the words "or transportation".

SECTION 9. Tennessee Code Annotated, Section 7-36-107(25) and (26), are amended by deleting the subdivisions and substituting the following:

(25) To assist persons to whom the authority sells electric power, energy, water, wastewater, or telecommunications in installing fixtures, appliances, apparatus, and equipment of all kinds and character and, in connection therewith, to purchase, acquire, lease, sell, distribute, make loans, provide service contracts, and repair such fixtures, appliances, apparatus, and equipment and sell, assign, transfer, endorse, pledge, and otherwise dispose of notes or other evidences of indebtedness any and all types of security therefor;

(26) To have such powers as are now or hereafter authorized for municipal electric, water, and wastewater utilities within this state; and

SECTION 10. Tennessee Code Annotated, Section 7-36-107, is amended by adding the following as new subdivisions (4) and (5), and redesignating existing (4), (5), and all remaining subdivisions accordingly:

(4) To acquire, construct, improve, furnish, equip, finance, own, operate, and maintain, within or outside the corporate limits of the associated municipality, a system for the furnishing of water service and to provide water service to any person, governmental entity, or other user or consumer of water services within or outside the associated municipality; provided, the system shall be operated as a financially separate system independent of, and financially separate from, the other utility systems of the authority and managed by the water division of the authority; and provided, further, the authority shall not exercise any of the powers granted in this subdivision (4) wholly or partly within the legal boundaries of a utility district incorporated pursuant to the Utility District Act of 1937, compiled in chapter 82 of this title, or any other municipality, except to the extent the authority succeeds to the rights and powers of a municipal water system or except as allowed by law, without the consent of the governing body of such utility district or municipality;

(5) To acquire, construct, improve, furnish, equip, finance, own, operate, and maintain within or outside the corporate limits of the associated municipality, a system for providing wastewater service to any person, governmental entity, or other user or consumer of wastewater services within and outside the associated municipality; provided, the system shall be operated as a financially separate system independent of, and financially separate from, the other utility systems of the authority and managed by the wastewater division of the authority; and provided, further, the authority shall not exercise any of the powers granted in this subdivision (5) wholly or partly within the legal boundaries of a utility district incorporated pursuant to the Utility District Act of 1937, or any other municipality, except to the extent the authority succeeds to the rights and powers of the municipal wastewater system or except as allowed by law, without the consent of the governing body of such utility district or municipality;

SECTION 11. Tennessee Code Annotated, Section 7-36-108, is amended by deleting the section and substituting the following:

Each system of the authority shall operate independently of the others and shall be self-sustaining, except insofar as the board may by resolution combine any of the systems which, in the opinion of the board, shall be advisable and economical and which by the general laws of the state or any federal laws or any contracts or indentures are not required to be operated separately. Telecommunications service shall continue to be maintained as a separate division pursuant to § 7-36-107(6).

SECTION 12. Tennessee Code Annotated, Section 7-36-112(b), is amended by deleting the subsection and substituting the following:

(b) Notwithstanding this chapter to the contrary, the authority does not have any power to dispose of all or substantially all of the electric, water, or wastewater system of the authority, as applicable, except upon the concurrence and consent of the governing body of the associated municipality and, in the case of the disposition of the electric plant of the authority, except upon the further approval of a majority of those voting in a referendum called by the governing body of the associated municipality in accordance with § 7-52-132. For purposes of establishing compliance with § 7-52-132, the board is deemed the "supervisory body," the electric plant of the authority is deemed an "electric plant," and such compliance shall be determined in the same manner and to the same extent as if the authority were operated as the electric system of the associated municipality.

SECTION 13. Tennessee Code Annotated, Section 7-36-113(d), is amended by deleting the subsection and substituting the following:

(d) The authority has the power and is authorized to issue notes in anticipation of the collection of revenues from the system for whose benefit the financing is undertaken for the purpose of financing electrical power purchases, including transmission costs, storage costs, and pipeline capacity costs. Any such notes must be secured solely by a pledge of, and lien on, the revenues of the system for whose benefit the financing is undertaken. The principal amount of notes that may be issued during any twelve-month period must not exceed sixty percent (60%) of total electrical power purchases for the same period, and all notes issued during such period must



be retired and paid in full on, or before, the end of such period. The notes must be sold in such manner, at such price, and upon such terms and conditions as may be determined by the board. No notes shall be issued under this subsection (d) unless the electric system has positive retained earnings as shown in the most recent audited financial statements of the system, and the system has produced positive net income in at least one (1) fiscal year out of the three (3) fiscal years next preceding the issuance of the notes as shown on the audited financial statements of the system. No notes issued under this subsection (d) shall be issued without first being approved by the comptroller of the treasury. If revenues of such system are insufficient to pay all such notes at maturity, any unpaid notes may be renewed one (1) time for a period not to exceed one (1) year or otherwise liquidated as approved by the comptroller of the treasury.

SECTION 14. Tennessee Code Annotated, Section 7-36-119(a), is amended by deleting the subsection and substituting the following:

(a) The authority shall not be operated for gain or profit or primarily as a source of revenue to the associated municipality or any other person or entity. The authority shall, however, prescribe and collect rates, fees, or charges for the services, facilities, and commodities made available by the authority, and shall revise such rates, fees, or charges from time to time whenever necessary so that each system, or any combined systems as authorized in this chapter, shall be and always remain self-supporting, and shall not require appropriations by the associated municipality or any other municipality, this state, or any political subdivision of this state to carry out the authority's purpose. Any one (1) system of the authority shall not subsidize any other system, unless the systems are operated as a combined system in accordance with the terms of this chapter, in which case the combined system shall be self-supporting. The authority shall keep books and records as may be required to properly account for the reasonable distribution of joint or common expenses between the systems of the authority.

SECTION 15. Tennessee Code Annotated, Section 7-36-122, is amended by deleting the section and substituting the following:

The authority is authorized to pay or cause to be paid from the revenues of each of the systems for each fiscal year payments in lieu of taxes to the associated municipality or such other municipality as shall properly receive said payments. Payments from the electric system revenues must be made and computed in accordance with the Municipal Electric Plant Law of 1935, compiled in chapter 52 of this title, and payments made from revenues of the telecommunication system must be made in accordance with §§ 7-52-404 and 7-52-606. Payments made from revenues of the water and wastewater systems must be made by agreement with the affected municipality. The authority shall make payments in lieu of taxes to the associated municipality, accruing from and after the effective date of the transfer of such system or systems from the associated municipality, from such system's revenues on the same basis as payments are currently being made by the supervisory body. The authority shall provide the associated municipality with a copy of its annual audited financial statements at the time each such annual payment is made and shall provide access to such financial information of the authority as is necessary for the associated municipality to review the basis for and amounts of

payments required pursuant to this section. To the extent not otherwise addressed in chapter 52, parts 4 and 6 of this title, in connection with the provision of telecommunications service, the authority is subject to all other state and local fees and charges imposed upon private providers of telecommunications services.

SECTION 16. Tennessee Code Annotated, Section 7-36-132, is amended by deleting the section and substituting the following:

(a) The associated municipality is authorized to transfer to an authority created pursuant to this chapter all of the associated municipality's right, title, and interest in and all the assets of the municipal electric, water, wastewater, and telecommunications systems, or any one (1) or more of such systems, including all real and personal property, tangible or intangible, and any right or interest in any such property, whether or not subject to mortgages, liens, charges, or other encumbrances, and all appurtenances, contracts, leases, franchises, and other intangibles must be transferred to the authority. The transfer must be authorized by resolution of the governing body of the associated municipality adopted on one (1) reading and must be accomplished through documents and instruments authorized by the resolution and executed by the officers of the associated municipality as designated by the resolution. A transfer of an associated municipality's electric or telecommunications system to an authority in accordance with this subsection (a) is not a disposition of assets for purposes of § 7-52-132.

(b) Upon formation of an authority pursuant to this chapter, a franchise is granted to the authority to provide within the corporate limits of the associated municipality any and all of the services that it is authorized to provide under applicable law and as set forth in its certificate of incorporation, subject to payment in lieu of taxes pursuant to § 7-36-122. Consistent with § 7-36-107(7), the associated municipality may require such franchise or franchises for the provision of telecommunications services as are permitted under state or federal law.

(c) Upon transfer of an electric, water, or wastewater system from an associated municipality to an authority and the assumption or satisfaction of all obligations of the supervisory board, the jurisdiction and control of the associated municipality and the supervisory board over such system must be transferred to the authority, and the supervisory board having oversight over such system shall cease to exist.

(d) It is a condition of the transfer of a system from the associated municipality to the authority that upon the transfer the authority must either retire the associated municipality's bonds associated with such system by the payment of the bonds in full upon transfer, defease such associated municipality's bonds by depositing funds in irrevocable escrow for the payment of these bonds, or assume and agree to pay in full principal of and interest on such bonds of the associated municipality. Upon the assumption by the authority of the associated municipality bonds and its agreement to pay those bonds when due, the authority shall be fully obligated to pay when due, principal, premium, and interest with respect to those bonds with the same force and effect as if those bonds were issued by the authority. Bonds issued pursuant to this section must be secured by, and payable from, the revenues of the respective system in the same way as other bonds of the authority issued pursuant to this chapter. The

transfer of each of the systems must be accomplished in such a manner as not to impair the obligations of contract with reference to the associated municipality's bonds and other legal obligations of the associated municipality and to preserve and protect the contract rights vested in the owners of such bonds and other obligations.

SECTION 17. If any provision of this act or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect any other provision or application of the act which can be given effect without the invalid provisions or application, and to that end the provisions of this act are declared to be severable.

SECTION 18. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1087**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	29
Noes . . . . .	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tracy, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

### **MESSAGE CALENDAR**

#### **SENATE BILL ON HOUSE AMENDMENT**

**Senate Bill No. 256** -- Interest Rates -- As introduced, increases the amount of interest that may be charged by an industrial loan and thrift company on loan amounts in excess of \$100. Amends TCA Section 45-5-301.

#### **HOUSE AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 45-5-301, is amended by deleting subdivision (2) and substituting instead the following:

(2)(A) Charge interest:

(i) On loans where the total amount of the loan is less than one hundred dollars (\$100), at a nominal rate not in excess of seven and one-half percent (7.5%) per annum, deducted in advance, on the total amount of the loan for the full term thereof without regard to the payment schedule; but no interest shall be charged on the loans in excess of a maximum effective rate of eighteen percent (18%) per annum;

(ii) On loans where the total amount of the loan is one hundred dollars (\$100) or more, up to five thousand dollars (\$5,000), at any rate not in excess of a maximum effective rate of thirty percent (30%) per annum;

(iii) On loans where the total amount of the loan is more than five thousand dollars (\$5,000), at any rate not in excess of the maximum effective rate of twenty-four percent (24%) per annum; and

(iv) On loans made under open-end credit plans, which are plans under which a registrant contemplates repeated loans that may be without fixed maturities or limitation as to the length of term, and that are subject to prepayment at any time, at any rate not in excess of a maximum effective rate of twenty-four percent (24%) per annum;

(B) All the interest shall be contracted for and computed in accordance with § 45-5-401;

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Tracy moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 256**, which motion prevailed by the following vote:

Ayes . . . . .	25
Noes . . . . .	0
Present, not voting . . .	3

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tracy, Yager and Mr. Speaker McNally--25.

Senators present and not voting were: Beavers, Kyle and Yarbro--3.

A motion to reconsider was tabled.

MOTION

Senator Kelsey moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 603** on the calendar for the Committee on Judiciary for Tuesday, April 18, 2017, which motion prevailed.

RECALL OF BILL

On motion of Senator Kelsey, **Senate Bill No. 1446** was recalled from the Clerk's Desk.

REFERRAL OF BILL

Senator Kelsey moved that Senate Bill No. 1446 be referred to the Committee on Judiciary, which motion prevailed.

**MOTION**

Senator Kelsey moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 1446** on the calendar for the Committee on Judiciary for Tuesday, April 18, 2017, which motion prevailed.

**NOTICES**

**MESSAGE FROM THE HOUSE**

April 13, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 390, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

April 13, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 707, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

April 13, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 844, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,  
Chief Clerk

**MOTION**

Senator Norris moved the Proposed Schedule for the week of April 17, 2017, be adopted and made the action of the Senate, which motion prevailed.

**TENNESSEE STATE SENATE  
110th GENERAL ASSEMBLY**

**SCHEDULE  
WEEK OF APRIL 17, 2017**

**MONDAY, APRIL 17, 2017**

1:00 p.m.

Transportation & Safety Committee – **FINAL  
MEETING**

3:00 p.m.

**SESSION – SENATE CHAMBER**

**THURSDAY, APRIL 13, 2017 -- 25TH LEGISLATIVE DAY**

**TUESDAY, APRIL 18, 2017**

8:30 a.m.	Finance, Ways & Means Committee
12:00 noon	Lunch
1:00 p.m.	Appropriations Subcommittee
2:30 p.m.	Judiciary Committee

**WEDNESDAY, APRIL 19, 2017**

8:30 a.m.	Finance, Ways & Means Committee
10:30 a.m.	Judiciary Committee

**2:00 p.m.                                      SESSION – SENATE CHAMBER**

**THURSDAY, APRIL 20, 2017**

**8:30 a.m.                                      SESSION – SENATE CHAMBER**

**MOTION**

On motion of Senators Bowling, Briggs, Crowe, Gardenhire, Jackson, Massey, Niceley, Norris, Watson and Yager, their names were added as sponsors of **Senate Bill No. 149**.

On motion of Senator Bowling, her name was added as sponsor of **Senate Bills Nos. 316 and 1418**.

On motion of Senator Roberts, his name was added as sponsor of **Senate Bill No. 327**.

On motion of Senator Ketron, his name was added as sponsor of **Senate Bill No. 388**.

On motion of Senators Crowe, Niceley, Roberts, Tate and Yager, their names were added as sponsors of **Senate Bill No. 401**.

On motion of Senators Roberts and Stevens, their names were added as sponsors of **Senate Bill No. 605**.

On motion of Senators Bailey, Bowling, Briggs, Crowe, Gresham, Kelsey, Niceley, Stevens and Yager, their names were added as sponsors of **Senate Bill No. 723**.

On motion of Senator Briggs, his name was added as sponsor of **Senate Bill No. 989**.

On motion of Senator Kelsey, his name was added as sponsor of **Senate Bill No. 1039**.

On motion of Senator Harper, her name was added as sponsor of **Senate Bill No. 1394**.

On motion of Senator Yager, his name was added as sponsor of **Senate Joint Resolution No. 297**.

On motion of Senator Massey, her name was added as sponsor of **Senate Joint Resolution No. 302**.

**THURSDAY, APRIL 13, 2017 -- 25TH LEGISLATIVE DAY**

On motion of Senators Massey, Briggs and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolution No. 303**.

On motion of Senators Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yarbrow and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolution No. 306**.

On motion of Senator Crowe, his name was added as sponsor of **Senate Joint Resolutions Nos. 308 and 310**.

On motion of Senators Briggs, Crowe, Overbey and Southerland, their names were added as sponsors of **Senate Resolution No. 37**.

On motion of Senators Massey, Briggs, Overbey and Mr. Speaker McNally, their names were added as sponsors of **House Joint Resolutions Nos. 239 and 240**.

On motion of Senator Hensley, his name was added as sponsor of **House Joint Resolutions Nos. 241, 242, 243, 244, 245, 246, 247, 248, 249, 250 and 251**.

**ENGROSSED BILLS**

April 13, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 149, 297, 401, 517, 568, 723, 997, 1087 and 1418; and Senate Joint Resolutions Nos. 296, 297, 298, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311 and 312; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**MESSAGE FROM THE HOUSE**

April 13, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 64, 434, 531, 584, 585, 922, 1373 and 1416; passed by the House.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

April 13, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286 and 287; adopted, for the Senate's action.

TAMMY LETZLER,  
Chief Clerk

**THURSDAY, APRIL 13, 2017 -- 25TH LEGISLATIVE DAY**

**MESSAGE FROM THE HOUSE**

April 13, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 24, 116, 389, 665, 676, 1238 and 1322; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER,  
Chief Clerk

**ENROLLED BILLS**

April 12, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 17, 19, 48, 221, 224, 393, 448, 509, 551, 811, 885, 999, 1154, 1160, 1198, 1215, 1216, 1217 and 1261; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**ENROLLED BILLS**

April 13, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 24, 116, 256, 389, 665, 676, 1238 and 1322; and Senate Resolutions Nos. 37, 54, 55, 56, 57 and 58; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**MESSAGE FROM THE HOUSE**

April 13, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 29, 77, 150, 527, 577, 636, 733 and 1392; for the signature of the Speaker.

TAMMY LETZLER,  
Chief Clerk

**SIGNED**

April 12, 2017

The Speaker announced that he had signed the following: Senate Bills Nos. 17, 19, 48, 221, 224, 393, 448, 509, 551, 811, 885, 999, 1154, 1160, 1198, 1215, 1216, 1217 and 1261.

**SIGNED**

April 12, 2017

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 108, 234, 235, 236 and 238.



**SIGNED**

April 13, 2017

The Speaker announced that he had signed the following: Senate Resolutions Nos. 37, 54, 55, 56, 57 and 58.

**MESSAGE FROM THE HOUSE**

April 12, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 17, 19, 48, 221, 224, 393, 448, 509, 551, 811, 885, 999, 1154, 1160, 1198, 1215, 1216, 1217 and 1261; signed by the Speaker.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

April 12, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 123, 124, 125, 278, 279, 280, 281, 282, 283, 284, 285, 286, 288, 289, 291 and 292; signed by the Speaker.

TAMMY LETZLER,  
Chief Clerk

**REPORT OF DEPUTY CHIEF CLERK**

April 12, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 123, 124, 125, 278, 279, 280, 281, 282, 283, 284, 285, 286, 288, 289, 291 and 292; for his action.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**REPORT OF DEPUTY CHIEF CLERK**

April 13, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 17, 19, 48, 221, 224, 393, 448, 509, 551, 811, 885, 999, 1154, 1160, 1198, 1215, 1216, 1217 and 1261; for his action.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**MESSAGE FROM THE GOVERNOR**

April 12, 2017

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 88, 97, 112, 138, 348, 385, 902 and 1202; and Senate Joint Resolutions Nos. 180, 272, 273, 274, 275, 276, 277 and 290; with his approval.

DWIGHT E. TARWATER,  
Counsel to the Governor

**THURSDAY, APRIL 13, 2017 -- 25TH LEGISLATIVE DAY**

**MESSAGE FROM THE GOVERNOR**

April 13, 2017

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 123, 124, 125, 278, 279, 280, 281, 282, 283, 284, 285, 286, 288, 289, 291 and 292; with his approval.

DWIGHT E. TARWATER,  
Counsel to the Governor

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 17, 2017: Senate Joint Resolution No. 314; and House Joint Resolutions Nos. 252, 253, 254, 255, 256, 257, 258, 259, 260, 261 and 262.

This the 13th day of April, 2017  
MASSEY, Chairperson

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 17, 2017: Senate Bills Nos. 279, 302 and 311.

This the 13th day of April, 2017  
MASSEY, Chairperson

**REPORT OF COMMITTEE ON CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 17, 2017: Senate Bills Nos. 51, 298, 313, 330, 355, 429, 489, 523, 553, 571, 587, 597, 704, 732, 733, 796, 820, 897, 970, 1060, 1079, 1152, 1168, 1192, 1209, 1214, 1224, 1267 and 1283; Senate Resolutions Nos. 32 and 34; and Senate Bills Nos. 669 and 875.

This the 13th day of April, 2017  
MASSEY, Chairperson

**REPORT OF COMMITTEE ON CALENDAR  
MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Monday, April 17, 2017: Senate Bills Nos. 390, 707, 844 and 1012.

This the 13th day of April, 2017  
MASSEY, Chairperson

**THURSDAY, APRIL 13, 2017 -- 25TH LEGISLATIVE DAY**

**REPORT OF COMMITTEE ON CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, April 19, 2017: Senate Bills Nos. 1221, 1220, 113, 156, 188, 268, 473, 615, 616, 645, 769, 828, 849, 1016, 1089, 1170, 1320 and 1338.

This the 13th day of April, 2017  
MASSEY, Chairperson

**ADJOURNMENT**

Senator Norris moved the Senate adjourn until 3:00 p.m., Monday, April 17, 2017, which motion prevailed.